

Francis Hugh Scifo
THE BANK OF TOKYO-MITSUBISHI UFJ, LTD.
NEW YORK BRANCH
1251 Avenue of the Americas
New York, New York 10020
(212) 782-4837
Attorney for Garnishee The Bank of Tokyo-Mitsubishi UFJ, Ltd., New York Branch

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TCA S.R.L.

Plaintiff,

-against-

KENRICK Y CIA SA, KENRICK AGENCIA
MARITIMA Y PORTUARIA LTDA., and
ULTRAMAR AGENCIA MARITIMA LTDA.,

Defendants.

07 Civ. 8752

**ANSWER OF THE BANK
OF TOKYO-MITSUBISHI
UFJ, LTD., NEW YORK
BRANCH TO PLAINTIFF'S
VERIFIED COMPLAINT**

The Bank of Tokyo-Mitsubishi UFJ, Ltd., New York Branch (the "Garnishee"), for its Answer to the Writ of Attachment and Garnishment and Verified Complaint herein, alleges on information and belief as follows:

(1) Denies that it has any of the Defendants as a customer and denies that it now holds or has held since commencement of this action any cash, funds, credits, wire transfers, electronic funds transfers, accounts, freight, hires, letters of credit or any other property or assets belonging or owing to, due or for the benefit of the Defendants in its hands or under its control or in which the Defendants have any interest, except for a wire

transfer to an account domiciled in Bank of America N.A. for the benefit of Ultramar Agencia Maritima Ltda. in the amount of \$60,824.00 frozen by the Garnishee on March 12, 2008.

(2) Denies that this Garnishee is indebted in any manner to any of the Defendants.

(3) Denies that this Garnishee has held since the commencement of this action or now holds any cash, funds, credits, wire transfers, electronic funds transfers, accounts, freight, hires, letters of credit or any other property or assets belonging or owing to, due or for the benefit of Defendants named in the above entitled suit or in which Defendants have any interest, except for a wire transfer to an account domiciled in Bank of America N.A. for the benefit of Ultramar Agencia Maritima Ltda. in the amount of \$60,824.00 frozen by the Garnishee on March 12, 2008.

(4) Except as alleged in paragraphs 1-3 above, denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in all paragraphs of Plaintiff's Verified Amended Complaint.

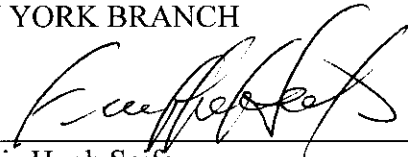
(5) Affirmatively alleges that on March 24, 2008, the Garnishee forwarded to Defendant Ultramar Agencia Maritima Ltda. at the address, inter alia, listed on the Verified Complaint by Overseas Courier Service copies of the Writ of Attachment and Garnishment and Verified Complaint served on Garnishee by Plaintiff.

WHEREFORE, The Bank of Tokyo-Mitsubishi UFJ, Ltd., New York Branch
prays that it may be dismissed and that costs and expenses be decreed to it.

Dated: New York, New York
March 24, 2008

Respectfully submitted,

THE BANK OF TOKYO-MITSUBISHI, LTD.
NEW YORK BRANCH

By: 

Francis Hugh Scifo
Attorney for Garnishee
The Bank of Tokyo-Mitsubishi UFJ, Ltd.,
New York Branch
1251 Avenue of the Americas
New York, New York 10020
Telephone: (212) 782-4837

TO: George M. Chalos
CHALOS, O'CONNOR & DUFFY, LLP
366 Main Street
Port Washington, New York 11050-3120